

FOIA Marker

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Presidential Personnel, White House Office of

Bullock, Katja - Agency Files - Candidates

Stack:	Row:	Sect.:	Shelf:	Pos.:	FRC ID:	Location or Hollinger ID:	NARA Number:	OA Number:
W	13	15	8	2	4938	17873	7699	7800

Folder Title:

Cruz, Rafael

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Form	PPO Non-Career Appointment Form - To: Dina Powell - From: Rosemarie Straight	1	05/24/2001	P6/b6;
002	Resume	[Resume] - From: Rafael Edward (Ted) Cruz	2	nd	P6/b6;

COLLECTION TITLE:

Presidential Personnel, White House Office of

SERIES:

Bullock, Katja - Agency Files - Candidates

FOLDER TITLE:

Cruz, Rafael

FRC ID:

4938

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

Greg —

there are 2/4 —
the others are filling
out online apps

Document Originally
Attached to
Following Page

Name, Last	First	Middle	Nickname	Occupation
CRUZ	RAFAEL	EDWARD	TED	Policy Advisor

Area(s) of Interest	Position	Firm / Agency
Director of Policy Planning, Federal Trade Commission	Associate Attorney General February 2001 – Present	U.S. Department of Justice

Notables
<ul style="list-style-type: none"> - Cruz Spoke Publicly On Behalf Of The Bush Campaign During The Elian Gonzalez Story: “The court’s standing ruling closed off just one particular challenge, and there are numerous alternative avenues of relief, including appointing a guardian ad litem,” someone to represent Elian’s interests in court, “that could be pursued in Florida family court if the attorney general were to decide to defer to that court’s jurisdiction.” - Cruz’s Father, Who Was Born In Cuba, Fought Alongside Fidel Castro And Che Guevara, And Fled To Texas As A Refugee From Batista. When Mr. Castro professed his communism, the elder Mr. Cruz became so disillusioned that he went everywhere where he had praised the Cuban revolution and argued the other side. - Cruz Was Twice A National Debating Champion At Princeton. - Cruz Was Featured In 1999 In <i>Newsweek</i> Magazine As One Of 20 Young Hispanic Americans On The Rise. - Cruz’s Former Law Firm, Cooper, Carvin & Ronsenthal, Defended The British-American Tobacco Company. - Cruz Was A Law Clerk For The Honorable J. Michael Luttig, Who Is A Potential Selection For The U.S. Supreme Court.

Flags
<ul style="list-style-type: none"> - No flags found.

THE WHITE HOUSE
WASHINGTON

PPO Non-Career Appointment Form
IN HOUSE USE ONLY

TO: Dina Powell, ASSOC DIR, PPO DATE SENT: May 24, 2001

FROM: Rosemarie Straight PHONE: 326-2707 DATE IN: _____

✓ CANDIDATE: CRUZ, RAFAEL EDWARD (Last, First, Middle)

POSITION TITLE: Director, Policy Planning GRADE: SES

DEPT/AGENCY: F.T.C. SUPERVISOR: Tim Muris

NEW: X AMENDMENT: _____ RE-ESTABLISHMENT: _____

UPGRADE: _____ AGENCY TRANSFER: (Employed at Dept of Justice)

✓ CURRENT ADDRESS: _____ (b)(6) PHONE: _____ (b)(6)

✓ CITY: _____ (b)(6) STATE: _____ (b)(6) ZIP: _____ (b)(6)

✓ RACE: WHITE ETHNIC HERITAGE: HISPANIC (CUBAN-AMERICAN) DOB: _____ (b)(6)

✓ SEX: M SSAN: _____ (b)(6) 2000 VOTING STATE: TEXAS

✓ VOTING ADDRESS: _____ (b)(6) CITY: _____ (b)(6)

✓ COUNTY: TRAVIS PARTY AFFILIATION: REPUBLICAN

✓ IF YOU DID NOT VOTE IN 2000, PLEASE EXPLAIN:

✓ PLEASE INDICATE 2000 BUSH/CHENEY OR OTHER CAMPAIGN INVOLVEMENT:
DOMESTIC POLICY ADVISOR, BUSH-CHENEY 2000, AUSTIN, TX 1999-2000

POSITION/RESPONSIBILITY SUPERVISOR INCL PHONE NUMBER
JOSHUA BOLTEN, (202) 456-1414

APPLICANT'S SIGNATURE: Rafael E Cruz DATE: 5/21/01

A completed, political and personal resume with salary history, position description and OPM 1019/1652 form must be included for White House clearance to begin.

Rafael Edward (Ted) Cruz

(b)(6)

(202) 514-0835 (w)

(b)(6)

WORK EXPERIENCE

ES-1
February 2001 – present.

UNITED STATES DEPARTMENT OF JUSTICE, Washington, DC
Associate Deputy Attorney General.

- Develop, coordinate, and administer policy initiatives at the Department of Justice.
- Supervisory work on firearms enforcement, cybercrime and intellectual property, racial profiling task force, federalism, bankruptcy, religious freedom, campaign finance reform, tort reform, and judicial nominations.
- Served on the U.S. delegation to Rome negotiating the Council of Europe international treaty on cybercrime.
- Responsible for overseeing the Office of Policy Development and the Office of Legal Counsel.

UNITED STATES DEPARTMENT OF JUSTICE, Washington, DC
Counselor to the Attorney General.

January 2001.

- Helped prepare Attorney General Ashcroft for Senate confirmation.
- Served as Department of Justice Coordinator for the Bush-Cheney Transition Team.

\$45,000

BUSH-CHENEY RECOUNT TEAM, Tallahassee, FL
Attorney.

November 2000 – December 2000.

- Helped assemble legal team, coordinate legal effort, and draft pleadings in the Florida and U.S. Supreme Courts.
- Helped advise Secretary James A. Baker on overall legal strategy.
- Provided principal substantive briefing for major media surrogates, including Senators Fred Thompson, Arlen Specter, and John Ashcroft and Governor Marc Rabcot.

\$45,000

BUSH-CHENEY 2000, Austin, TX
Domestic Policy Advisor.

July 1999 – November 2000.

- Regularly briefed President Bush and Vice President Cheney on domestic policy.
- Primary responsibility for all legal policy issues, including Civil Justice, Criminal Justice, Constitutional Law & Civil Rights, Immigration, Campaign Finance Reform, Political Process, and Government Reform.
- Responsible for designing President Bush's comprehensive plans for civil justice reform, campaign finance reform, immigration reform, disability policy, and drug policy. Wrote detailed factsheets describing each.
- Conferred regularly with advisors nationwide, including academics, practitioners, and Members of Congress.
- Traveled with President Bush on the campaign trail to major policy announcements.
- Assisted with presidential debate preparation and substantive responses to domestic policy questions.
- Met with major constituent and interest groups.
- Responded to media inquiries. Provided detailed background and on-the-record interviews to national reporters.
- Served as the principal campaign representative on legal policy issues at the Republican National Convention drafting the 2000 Republican Party Platform.

\$165,000

COOPER, CARVIN & ROSENTHAL, PLLC, Washington, DC
Associate.

September 1997 – June 1999.

- Argued and won \$10 million case in the U. S. Court of Appeals for the Federal Circuit on behalf of Ford Motor Company.
- Represented Rep. John Boehner (R-OH) in his civil suit against Rep. Jim McDermott (D-WA) for McDermott's dissemination to the New York Times of an illegally-intercepted cell-phone conversation among the House Republican leadership – the first civil suit between sitting Congressmen in the history of the U. S.
- Represented David Wang before the grand jury and before the House Campaign Finance hearings concerning Wang's alleged illegal donation of \$10,000 to the Democratic National Committee.
- Represented Republic Savings Bank in breach of contract and Takings action against the federal government.

THE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES
Law Clerk.

GS-12
October Term 1996.

THE HONORABLE J. MICHAEL LUTTIG, U. S. COURT OF APPEALS FOR THE FOURTH CIRCUIT
Law Clerk.

1995-96 Term.

GS-11

Rafael Edward (Ted) Cruz (cont.)

(b)(6)

(202) 514-0835 (w)

(b)(6)

EDUCATION

HARVARD LAW SCHOOL, J.D., *magna cum laude*, 1995.

Journals: HARVARD LAW REVIEW, Primary Editor.

HARVARD JOURNAL OF LAW & PUBLIC POLICY, Executive Editor.

HARVARD LATINO LAW REVIEW, Editor.

Research: Research Assistant, Professor Charles Fried, Professor David L. Shapiro, and Professor Daniel Meltzer.

Activities: The Federalist Society; Lincoln's Inn; Intramural basketball; Intramural volleyball; *La Alianza*.

Honors: John M. Olin Fellowship in Law and Economics.

PRINCETON UNIVERSITY, A.B., *cum laude*, Woodrow Wilson School of Public and International Affairs, 1992.

Major: Public Policy, Political Philosophy, and Economics.

Thesis: *The History and Theory Behind the Ninth and Tenth Amendments to the United States Constitution*.

Activities: Chairman, Princeton University Undergraduate Council.

Awards: U.S. National Champion Debate Team, 1992; U.S. National Champion Speaker, 1992.

1st Place Speaker – 1992 North American Debate Championships, Montréal, Canada.

PUBLICATIONS

- *Fair Play for Florida Voters – You Can't Change the Rules after Election Day: A Summary of the Supreme Court Brief Filed by Governor Bush*, CNN.com (December 1, 2000).
- *Not My Brother's Keeper: The Inability of an Informed Minority to Correct for Imperfect Information*, 47 HASTINGS L.J. 635 (1996) (with Jeffrey J. Hinck).
- Case Comment, *J.E.B. v. Alabama ex rel. T.B.*, 108 HARV. L. REV. 240 (1994).
- *Developments in the Law – Lawyers' Responsibilities and Responses: The 1993 Amendments to Federal Rule of Civil Procedure 11*, 107 HARV. L. REV. 1629 (1994).
- Recent Development, *Animal Sacrifice and Equal Protection Free Exercise: Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 17 HARV. J.L. & PUB. POL'Y 262 (1994).
- *Going Beneath the Surface on Law Clerk Diversity*, LEGAL TIMES, Oct. 26, 1998, at 27.
- Book Review of *Sexual McCarthyism* by Alan M. Dershowitz, N.Y. LAW JOURNAL, February 19, 1999, at 2.

POLITICAL AND COMMUNITY SERVICE

- Co-Chairman, Host Committee of the National Capital Area, Governor George W. Bush Presidential Exploratory Committee, 1999.
- Host Committee, Governor George W. Bush Washington Gubernatorial Reception, 1998.
- Chairman, School Choice and Education Reform Committee, Federalist Society for Law and Public Policy.
- Executive Committee, Lawyers' Council, The Becket Fund for Religious Liberty.
- Steering Committee, TEXAS REVIEW OF LAW & POLITICS.
- Admitted to the Bar in Texas, the District of Columbia, and the U. S. Courts of Appeals for the Fourth, Federal, and District of Columbia Circuits.

MEDIA APPEARANCES

Appeared on over 20 television and radio programs, including the News Hour with Jim Lehrer, NBC News, Good Morning America, CNN, Legal Notebook, The Big Picture, and PBS's Debates Debates and also NPR, CBS Radio News, KFYO, and WTOG on topics including: ethnic diversity among Supreme Court clerks • campaign finance reform and the First Amendment • school choice • the constitutionality of the Violence Against Women Act • CEO compensation • the life sentence of Jonathan Pollard • the political and legal ramifications of Impeachment • Chief Justice William H. Rehnquist • the appointment of Acting Assistant Attorney General for Civil Rights Bill Lann Lee • the abolition of parole • the current legal status of the *Miranda* warnings • amnesty for political prisoners • and Rep. Boehner's civil suit against Rep. McDermott.

POSITION DESCRIPTION

2. Reason for Submission <input type="radio"/> Redescription <input checked="" type="radio"/> New <input type="radio"/> Reestablishment <input type="radio"/> Other Explanation (Show any positions replaced)		3. Service <input checked="" type="radio"/> Hdqtrs. <input type="radio"/> Field	4. Employing Office Location Washington, D. C.	5. Duty Station Washington, D. C.	1. Agency Position No.
		7. Fair Labor Standards Act <input checked="" type="radio"/> Exempt <input type="radio"/> Nonexempt		8. Financial Statements Required <input type="radio"/> Executive Personnel Financial Disclosure <input type="radio"/> Employment and Financial Interests	
		10. Position Status <input type="radio"/> Competitive <input type="radio"/> Excepted (Specify in remarks) <input checked="" type="radio"/> SES (Gen.) <input type="radio"/> SES (CR)		11. Position is: <input type="radio"/> Supervisor <input type="radio"/> Managerial <input type="radio"/> Neither	
		12. Sensitivity <input type="radio"/> 1-Non Sensitive <input type="radio"/> 3-Critical Sensitive <input type="radio"/> 5-Moderate <input type="radio"/> 2-Noncritical Sensitive <input type="radio"/> 4-Special Sensitive <input type="radio"/> 6-High Risk ADP Position <input type="radio"/> Yes <input type="radio"/> No		9. Subject to IA Action <input type="radio"/> Yes <input checked="" type="radio"/> No	
				13. Competitive Level Code	
				14. Agency Use	

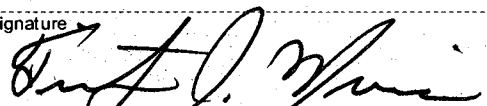
15. Classified/Graded	Official Title of Position	Pay Plan	Occupational Code	Grade	Initials	Date
a. U.S. Office of Personnel Management						
b. Department, Agency or Establishment	Director, Policy Planning	ES	0905			
c. Second Level Review						
d. First Level Review						
e. Recommended by Supervisor or Initiating Office						

16. Organizational Title of Position (if different from official title) _____ 17. Name of Employee (if vacant, specify) _____

18. Department, Agency, or Establishment Federal Trade Commission	c. Third Subdivision
a. First Subdivision Office of the Chairman	d. Fourth Subdivision
b. Second Subdivision	e. Fifth Subdivision

19. Employee Review - This is an accurate description of the major duties and responsibilities of my position. _____
 Signature of Employee (optional)

20. **Supervisory Certification.** I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.

a. Typed Name and Title of Immediate Supervisor	b. Typed Name and Title of Higher-Level Supervisor or Manager (optional)
Signature:  Date: _____	Signature: _____ Date: _____

21. **Classification/Job Grading Certification.** I certify that this position has been classified/graded as required by Title 5 U.S. Code, in conformance with Standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with most applicable published standards.

22. Position Classification Standards Used in Classifying/Grading Position

Information for Employees. The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the U.S. Office of Personnel Management.

23. Position Review	Initials	Date	Initials	Date	Initials	Date	Initials	Date	Initials	Date
a. Employee (optional)										
b. Supervisor										
c. Classifier										

24. Remarks

Director
Office of Policy Planning

This position is located in the Office of Policy Planning (OPP). OPP is responsible for researching and exploring competition and consumer protection policy issues as they relate to the most effective and appropriate means for the Commission to carry out its legal mandates, at the same time providing cost-effective services to the agency's external customers. Among the many and far-reaching planning functions of this office are: developing legislative proposals that implement or otherwise affect the Commission's long-range policy goals; analyzing the Commission's approach to merger enforcement; articulating the legal and economic policies relevant to issues of deception and unfairness; and conducting analysis of merger case selection criteria.

The Director of OPP manages and supervises an office staffed by a group of experienced attorneys and economists who are knowledgeable in both economic policy analysis and trade regulation law. Under the general supervision of the Director, the office is responsible for developing positions and analyses of legal policy issues confronting the Commission.

The Director is responsible for translating the Commission's broad policy goals into specific workable initiatives for implementation through the Commission's established programs. The incumbent directs the work of staff attorneys and economists who research, develop, and draft proposals analyzing how best to achieve the Commission's long-range policy goals. The Director initiates proposed changes in existing policies and originates new initiatives designed to further the sound legal and economic policies of the Commission. The Director also supervises the staff's initiation of oral and written suggestions or recommendations concerning matters of Commission policy.

OPP's policy recommendations may have far-reaching significance for business competition and consumer welfare. Consequently, the Director must be thoroughly familiar with antitrust law, consumer protection law, industrial organization economics, the economics of property rights, public choice theory, FTC jurisdiction, practices and procedure, basic competitive trends and other pertinent public policy considerations. In addition, the Director must have highly developed analytical, writing, and organizational skills.

The Director may consult with the Commission and individual Commissioners, Bureau Directors and other senior staff, other members of the staff, members of the staffs of congressional committees, and members of the staffs of other administrative agencies and executive departments to gather information affecting the policies and procedures of the Federal Trade Commission. The Director will also, from time to time, draft and

deliver speeches and articles that bear on Commission policy issues.

Supervision Received

The incumbent reports directly to the Chairman, but proceeds independently within very general guidance as to policy and objectives, exercising initiative and developing close working relationships with Commissioners and other high-level officials of the Commission.

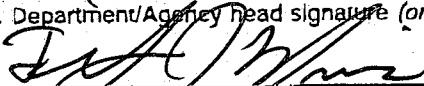
Request for SES Noncareer or Limited Appointment Authority

Part A - Agency Information

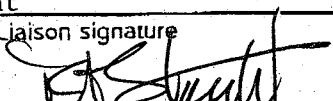
1. Agency name Federal Trade Commission		2. Date of request (mm,dd,yyyy) 05/24/2001	3. Date received at OPM (mm,dd,yyyy) <i>(OPM use only)</i>
4. Agency point of contact Elliott Davis	Telephone number (202) 326-2344	FAX number (202) 326-2328	E-mail edavis@ftc.gov
5. U.S. Office of Personnel Management Office of Executive Resources Management 1900 E Street NW, Room 6484 Washington, DC 20415-0001 Attention <u>Tierney Bates</u> FAX number is (202) 606-2126		6. Request(s) for: <input type="checkbox"/> New noncareer appointment <input type="checkbox"/> Reassign a noncareer appointee <input type="checkbox"/> Limited appointment Requested duration: _____ months <input type="checkbox"/> Limited term appointment (not to exceed 36 months) <input type="checkbox"/> Limited emergency appointment (not to exceed 18 months) <input type="checkbox"/> Extension of limited appointment <input type="checkbox"/> Change in title (show below) <input type="checkbox"/> Other (specify on supplemental sheet)	
7. Position title Director, Policy Planning		8. Position number FTE5 02055	9. EIS control number
10. Name of candidate Rafael Edward Cruz	11. Recruited from (if Federal, identify agency, appointment type and level) Department of Justice SES		

Endorsement Statement

I endorse the above request made to the Office of Personnel Management. I certify that the position is a General position and certify that the candidate meets the professional/technical, executive and managerial qualifications for this position.

12. Department/Agency head name Timothy Muris	13. Department/Agency head signature (or designee) 	14. Date signed 5/24/2001
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Part B - Agency White House Liaison

1. Agency White House Liaison name Rosemarie Straight	2. Telephone number (202) 326-2207
3. Agency White House Liaison signature 	4. Date signed 5/24/2001

Part C - OPM Use Only

1. <input type="checkbox"/> Your request for a new noncareer appointment authority, reassignment or change is:		<input type="checkbox"/> Approved <input type="checkbox"/> Approved with modification → <input type="checkbox"/> Disapproved <input type="checkbox"/> Returned without action		Modification:
<input type="checkbox"/> Your request for a limited term or limited emergency appointment authority for the duration of _____ is:				
2a. Number of noncareer allocations, if approved →	2b. Percent of SES space allocation →	%		
3. OPM White House Liaison signature			4. Date signed	
5. Signature of OPM approving official	6. Title of OPM approving official		7. Date signed	



Contributor	Occupation	Date	Amount	Recipient
CRUZ, TED ARLINGTON, VA 22202	COOPER, CARVIN, ROSENTHAL	04/21/1999	\$250	Allen, George

2000 cycle data downloaded from FEC on May 2, 2001.

2002 cycle data downloaded from FEC on May 2, 2001. Date of request: May 30, 2001

Contributor	Occupation	Date	Amount	Recipient
CRUZ, RAFAEL E ARLINGTON, VA 22202	COOPER CARVIN & ROSENTHAL	05/12/1999	\$1,000	Bush, George W

2000 cycle data downloaded from FEC on May 2, 2001.

2002 cycle data downloaded from FEC on May 2, 2001. Date of request: May 30, 2001

FTC —

Director Policy Planning

Dina